

**COMMONWEALTH OF MASSACHUSETTS**

**TOWN OF GRAFTON**

**ANNUAL TOWN MEETING/ELECTION**

**ANNUAL TOWN ELECTION WARRANT**

**Worcester, ss:**

**To Any of the Constables of the Town of Grafton, in the County of Worcester**

**GREETING:**

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the Inhabitants of the Town of Grafton, qualified to vote in elections and Town affairs to meet in their respective precincts, 1, 2, and 3 at the Grafton Middle School Gymnasium, 22 Providence Road and precincts 4 and 5 at the Millbury Street Elementary School Gymnasium, 105 Millbury Street on Tuesday, the Sixteenth day of May, 2017 at Eight O'clock AM (8:00 AM) until Eight O'clock PM (8:00 PM) to cast their votes for the following Town Offices and ballot questions:

Two Members of the Board of Selectmen for a term of three years; One Member of the School Committee for a term of three years; One Member of the Planning Board for a term of three years; One Member of the Planning Board for a term of two years (to fill a vacancy); Two Members of the Board of Library Trustees for a term of three years; and One Moderator for a term of three years.

**QUESTION 1**

Shall the Town of Grafton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds to be issued in order to fund the construction, renovation and expansion of the Grafton Public Library, to fund demolition, landscaping, paving, utility and other site improvement incidental or directly related to such construction, renovation and expansion, to fund necessary architectural, engineering or other professional and legal expenses and fees associated with this project, to fund temporary library operational space, storage and moving expenses, to fund furnishings and equipment and to fund the payment of all other costs incidental or related thereto?

**YES**

**NO**

**QUESTION 2**

Shall the Town of Grafton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds to be issued in order to fund the



pre-construction, constructing, equipping and furnishing of a new DPW Facility to be located at 48 Old Westboro Road, including the payment of all other costs incidental or related thereto?

**YES**

**NO**

### **ANNUAL TOWN MEETING WARRANT**

And you are further directed to notify and warn said inhabitants qualified to vote in Town affairs, to meet in the Grafton High School Auditorium at the Grafton High School on Monday, the Eighth Day of May AD, 2017 at Seven Thirty O'clock PM (7:30 PM) and to act on the following articles, to wit:

**(If a second night is required, Town Meeting will reconvene on Wednesday, May 10, 2017 at 7:30PM at the Grafton Middle School located at 22 Providence Road)**

#### **ARTICLE 1. HEAR REPORTS OF OFFICES, BOARDS AND COMMITTEES**

To hear the reports of the several Town Officers, Boards and Committees, or to take any other action relative thereto.

Submitted by: Board of Selectmen

#### **ARTICLE 2. APPOINT TRUSTEE OF NELSON PARK AND MEMORIAL**

To see if the Town will vote to appoint a Trustee of the Nelson Park and Memorial Library and Building Fund for a term of three years, or to take any other action relative thereto.

Submitted by: Nelson Park and Memorial Trustees

#### **ARTICLE 3. TOWN'S SHARE OF NET OPERATING COSTS – BLACKSTONE VALLEY VOCATIONAL REGIONAL SCHOOL DISTRICT**

To see if the Town will vote to raise and appropriate \$808,968, or any other amount, for the purpose of paying the Town's share of the net operating costs of the Blackstone Valley Vocational Regional School District (the "District") for the Fiscal Year commencing July 1, 2017, or take any other action relative thereto.

Submitted by: Blackstone Valley Vocational Regional School District Committee

#### **ARTICLE 4. BLACKSTONE VALLEY VOCATIONAL SCHOOL – PRINCIPAL AND INTEREST**

To see if the Town will vote to raise and appropriate \$53,401, or any other amount, to fund the principal and interest costs for FY18 to be incurred by the Blackstone Valley Vocational Regional School District for its capital expansion project, or take any other action relative thereto.

Submitted by: Blackstone Valley Vocational Regional  
School District Committee

#### **ARTICLE 5. FY18 BUDGETS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury the sum of money to fund the recommended budget by the Town Administrator as shown in the Finance Committee's printed report for the several Town Departments for the Fiscal Year beginning July 1, 2017, or take any other action relative thereto.

Submitted by: Town Administrator

#### **ARTICLE 6. TRANSPORTATION BOND BILL**

To see if the Town will vote to appropriate a sum of money for State-Aid Highway purposes as requested by the Board of Selectmen to be reimbursed from the Commonwealth under the provisions of the Transportation Bond Bill, so-called, and amendments thereto, for roadway construction, reconstruction and improvements, including surface treatments and other work incidental to the above, or take any other action relative thereto.

Submitted by: Board of Selectmen

#### **ARTICLE 7. AUTHORIZE BOARD TO ACCEPT & ENTER INTO CONTRACTS**

To see if the Town will vote to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of any funds allotted by the Commonwealth of Massachusetts for construction, reconstruction, or improvements to public roads, or take any other action relative thereto.

Submitted by: Board of Selectmen

#### **ARTICLE 8. REAUTHORIZE REVOLVING ACCOUNTS**

To see if the Town will vote to reauthorize revolving accounts detailed below, defined by Massachusetts General Laws Chapter 44, Section 53 E ½ for Fiscal Year 2018, or take any other action relative thereto.

Submitted by: Town Administrator

<b>Board/Department/Officer authorized to expend:</b>	<b>Revenue Source</b>	<b>Funds may be expended only for:</b>	<b>Spending Limit</b>
Town Administrator	Rent and Utilities	One Grafton Common maintenance	\$200,000
School Department	State and Federal Grants	Staff Development Workshops	\$10,000
School Department	Tuition Payments	Early Childhood Programs	\$200,000
School Department	Out of district fees	Out of district transportation	\$50,000
School Department	Sale of Surplus	Education Tablets & Laptops	\$50,000

Council on Aging	Ridership fees	Elder Bus Transportation	\$35,000
Conservation Commission	Filing Fees	Expenses related to duties	\$25,000
Fire Department	Inspection Fees	Fire Sprinkler System Review	\$10,000
Board of Health	Medicare Part 855B	Vaccine Administration	\$10,000
South Grafton Community House	Rental fees	Maintenance and upkeep	\$20,000
Library	Lost Book fees	Replacement of materials	\$5,000
Council on Aging	Program Fees	Program Funding	\$35,000
Conservation Commission	Storm Water Bylaw	Expenses for Administration	\$10,000
BOS/TA	Cable Related Revenue	To support PEG Access Services	\$500,000
Library	User fees	Replenishing materials	\$10,000

#### **ARTICLE 9. PRELIMINARY DESIGN FOR GRAFTON PUBLIC LIBRARY EXPANSION**

To see if the Town will vote to accept the preliminary design for the Grafton Public Library building as prepared by Drummey, Rosane Anderson (DRA) for purposes of the Massachusetts Public Library Construction Program (MPLCP) grant application, or take any other action relative thereto.

Submitted by: Library Planning & Building Committee

#### **ARTICLE 10. PUBLIC LIBRARY APPROPRIATION FROM DEBT EXCLUSION**

To see if the Town will vote to raise and appropriate \$16,597,997.00 to fund the construction, renovation and expansion of the Grafton Public Library, to fund demolition, landscaping, paving, utility and other site improvement incidental or directly related to such construction, renovation and expansion, to fund necessary architectural, engineering or other professional and legal expenses and fees associated with this project, to fund temporary library operational space, storage and moving expenses, to fund furnishings and equipment and to fund the payment of all other costs incidental or related thereto; to authorize the town to apply for and accept any grants or loans available for the project, including the Massachusetts Board of Library Commissioners grant; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow the sum of \$16,597,997 by issuance and sale of bonds or notes of the Town in accordance with General Laws Chapter 44, Section 7 (1) as amended, said sum to be expended under the direction of the Grafton Public Library Planning & Building Committee established under Article 6 of the October 17, 2011 Town Meeting which is authorized to take any action necessary to carry out this vote, provided, however, that the amount of the authorized borrowing shall be reduced by the amount of any grants received for the project prior to the issuance of bonds or notes under this vote; and provided further, that this vote shall not take effect until the town votes to exempt from the limitation on total taxes imposed under General Laws, Chapter 59, Section 21C (Proposition 2 ½) the amounts required to pay the principal of and interest on the borrowing authorized by this vote, or take any other action relative thereto.

Submitted by: Library Planning & Building Committee

## **ARTICLE 11. DPW FACILITY APPROPRIATION FROM DEBT EXCLUSION**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money not to exceed \$12,700,000 for the pre-construction, constructing, equipping and furnishing a new DPW Facility to be located at 48 Old Westboro Road, including the payment of all other costs incidental or related thereto, said sum to be expended under the direction of the DPW Facility Building Committee, and to meet said appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow said sum under General Laws Chapter 44, Section 7(1) as amended or any other enabling authority; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2 ½), or take any other action relative thereto.

Submitted by: DPW Building Committee

## **ARTICLE 12. WASTEWATER TREATMENT FACILITY UPGRADE**

To see if the Town will vote to appropriate \$3,000,000 for the design, engineering, and construction associated with the upgrades to the Arcadia Street and Worcester Street sewer pump stations and to meet this appropriation the Treasurer with the approval of the Selectmen, is authorized to borrow an amount not to exceed \$3,000,000 and issue bonds or notes therefore under either the provisions of MGL Chapter 44B of the General Laws or Chapter 29C of the General Laws, as most recently amended by St. 1998. C78, or take any other action relative thereto.

Submitted by: Board of Sewer Commissioners

## **ARTICLE 13. SPECIAL EDUCATION STABILIZATION FUND**

To see if the Town will vote to establish a Special Education Stabilization Fund for the purpose of reserving funds to pay expenses related to special education, as authorized by Chapter 40, Sec. 5B of the General Laws, or take any other action relative thereto.

Submitted by: School Committee

## **ARTICLE 14. TRANSFER OF FUNDS TO SPECIAL EDUCATION STABILIZATION FUND**

To see if the Town will vote to transfer a sum of \$100,000 from Free Cash to the Special Education Stabilization Fund, or take any other action relative thereto.

Submitted by: School Committee

## **ARTICLE 15. FUND FY18 CAPITAL EXPENDITURE BUDGET**

To see if the Town will vote to appropriate from Free Cash \$856,194, and transfer \$74,006 from available sources, for the purposes of funding the FY18 Capital Expenditure Budget, said sum to

be spent under the direction of the Board of Selectmen and Town Administrator, or take any other action relative thereto.

Submitted by: Town Administrator

#### **ARTICLE 16. FIRE DEPARTMENT INSURANCE SUPPLEMENT**

To see if the Town will vote to raise and appropriate one thousand dollars (\$1,000.00), for the purposes of funding the Fire Department Insurance Supplement established under Article 15 of the March 16, 1987, Special Town Meeting, which is used for the purposes of paying not more than 75.00% of a firefighter's gross pay in case of injury while on duty as specified in Article 15 of the March 16, 1987, Special Town Meeting, or take any other action relative thereto.

Submitted by: Town Administrator

#### **ARTICLE 17. AUTHORIZE TREASURER/COLLECTOR TO BORROW MONEY**

To see if the Town will vote to authorize the Treasurer/Collector, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2017, in accordance with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, and amendments thereto, and to issue a note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws, Chapter 44, Section 17, and amendments thereto, or take any other action relative thereto.

Submitted by: Town Administrator

#### **ARTICLE 18. UNEMPLOYMENT COMPENSATION**

To see if the Town will vote to raise and appropriate \$45,000, said sum to be added to the Unemployment Compensation Account, for the purposes of paying Unemployment Compensation expenses of the Town, or take any other action relative thereto.

Submitted by: Town Administrator

#### **ARTICLE 19. FUNDING FOR TRANSPORTATION SERVICES FROM WRTA**

To see if the Town will vote to authorize the Board of Selectmen to request the funding of transportation services from the WRTA, and to contract for and provide elderly bus services for the Town of Grafton for the period of July 1, 2017, through June 30, 2018, or take any other action relative thereto.

Submitted by: Town Administrator

## **ARTICLE 20. CITY/TOWN CLERK COMPENSATION AS MEMBER OF BOARD OF REGISTRARS OF VOTERS**

To see if the Town will accept the provisions of MGL Chapter 41, Section 19J which "allows the Town to compensate a clerk of a city or town who also serves as a member of its board of registrars of voters, in addition to any compensation to which such clerk is entitled as a city or town clerk, a sum not less than fifty dollars but not to exceed one hundred dollars, and, if the number of registered voters exceeds one thousand, an additional sum not less than fifty dollars but not to exceed one hundred dollars for each additional thousand of registered voters or major fraction thereof; provided, however, that the total payment for such service as a member of said board shall not exceed four thousand dollars in any year," or take any other action relative thereto.

Submitted by: Town Clerk

## **ARTICLE 21. SALE OF SURPLUS PROPERTY**

To see if the Town will vote to authorize the Board of Selectmen, pursuant to Article 4, Section 9, of the Town By-Laws, to sell certain items under such terms and conditions as it deems appropriate, or take any other action relative thereto.

Submitted by: Town Administrator

## **ARTICLE 22. PURCHASE LAND AT 46 & 48 WORCESTER STREET**

To see if the Town will vote to authorize the Board of Selectmen to negotiate the purchase of real property located at 46 & 48 Worcester Street, identified on the Board of Assessor's maps as Lots 70 & 71 of Map 65, to be used and developed at the direction of the Board of Selectmen, upon such terms and conditions as the Board of Selectmen determine to be in the best interests of the Town, or take any other action relative thereto.

Submitted by: Board of Selectmen

## **ARTICLE 23. CPC - OPERATING BUDGET**

To see if the Town will vote to authorize the use a sum of \$10,000 in the fiscal year 2018 Community Preservation revenues, for the purpose of funding the operating budget of the Community Preservation Committee (CPC), or take any other action relative thereto.

Submitted by: Community Preservation Committee

## **ARTICLE 24. CPC - PELL FARM BOND PAYMENT**

To see if the Town will vote to appropriate \$87,225 from the fiscal year 2018 Community Preservation revenues for the purpose of making the interest and principal payment on the \$1.2 million bond issued for the purchase of the Pell Farm property, or take any other action relative thereto.

Submitted by: Community Preservation Committee

## **ARTICLE 25. CPC - GRAFTON TOWN HOUSE BOND PAYMENT**

To see if the Town will vote to appropriate \$74,250 from the fiscal year 2018 Community Preservation revenues, for the purpose of making the interest and principal payment on the \$1.1 million bond issued for the renovation of the Grafton Town House, or take any other action relative thereto.

Submitted by: Community Preservation Committee

## **ARTICLE 26. SICK AND VACATION BUYBACK**

To see if the Town will vote to raise and appropriate and/or transfer a sum of money from Free Cash, to fund the accumulated sick and vacation leave buyback for retiring employees pursuant to the Town By-Laws and/or collective bargaining agreements, or take any other action relative thereto.

Submitted by: Town Administrator

## **ARTICLE 27. FIRE HYDRANTS– GRAFTON WATER DISTRICT**

To see if the Town will vote to accept the following hydrants from the Grafton Water District,

- #516 through #524 Magnolia Lane (9 hydrants)
- #526 Avalon Way
- #527 Avalon Way
- #673 Harris Road, and
- #675 Pleasant Street

or take any other action relative thereto.

Submitted by: Town Administrator

## **ARTICLE 28. AMEND GRAFTON WETLANDS PROTECTION BYLAW SECTIONS 4 & 5**

To see if the Town will vote to amend Sections 4 and 5 of the Grafton Wetlands Protection Bylaw to reflect the change in the name of the referenced form, previously known as "Request for Determination (RFD)," and now referred to as "Request for Determination of Applicability (RDA),"

or take any other action relative thereto.

Submitted by: Conservation Commission

## **ARTICLE 29. AMEND GRAFTON WETLANDS PROTECTION BYLAW SECTION 5B**

To see if the Town will vote to add the following underlined language to Section 5b: Applications for Permit and Hearings, of the Grafton Wetlands Protection Bylaw:



"Any person filing an application herein referred to with the Commission at the same time shall give written notice thereof, by certified mail (return receipt requested), certificate of mailing or hand delivery, to all abutters at their mailing addresses shown on the most recent applicable tax list of the Assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water."

or take any other action relative thereto.

Submitted by: Conservation Commission

#### **ARTICLE 30. AMEND GRAFTON WETLANDS PROTECTION BYLAW SECTION 6**

To see if the Town will vote to amend Section 6 of the Grafton Wetlands Protection Bylaw as follows: (new language underlined, deletions in strike-through)

~~"Any person filing a permit application or a request for determination with the Commission shall provide a copy thereof at the same time, by certified mail (return receipt requested) or hand delivery, to the Board of Selectmen, Planning Board, Board of Health, Town Engineer, Inspector of Buildings, Board of Water Commissioners, and State Department of Environmental Quality Engineering. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. The Commission shall not take final action until such boards and officials have had 20 days from receipt of notice to file written comments and recommendations with the Commission, which the Commission shall take into account but which shall not be binding on the Commission. The applicant shall have the right to receive any such comments and recommendations, and to respond to them at a hearing of the Commission, prior to final action. Permit applications for new construction, to include wells and septic systems where applicable, shall show the entire lot and all wetland resources delineated within 100 feet of proposed construction, and lot boundaries. Permit applications not including this information shall be returned as "incomplete."~~

"Following receipt of a completed application, the Commission shall execute the interdepartmental review process set forth in the regulations. The Commission shall not make a decision on the Wetlands Protection Bylaw Permit until it has received comments from the interdepartmental review process or until 20 days have elapsed after receipt of the application materials without submission of comments thereon."

or take any other action relative thereto.

Submitted by: Conservation Commission

#### **ARTICLE 31. AMEND GRAFTON STORMWATER MANAGEMENT BYLAW SECTION 6**

To see if the Town will vote to amend Section 6: Coordination with other Boards, of the Grafton Stormwater Management Bylaw as follows: (new language underlined and deletions in strike-through)

~~"Coordination with other Boards. Following receipt of a completed application, the Commission shall seek review and comments from the Planning Board, Board of Health, Building Inspector, and Department of Public Works. The Commission shall not make a decision on the Stormwater Management Permit until it has received comments from these entities or until 14 days have elapsed after receipt of the application materials without submission of comments thereon."~~

"Interdepartmental Review: Following receipt of a completed application, the Commission shall execute the interdepartmental review process set forth in the regulations. The Commission shall not make a decision on the Stormwater Management Bylaw Permit until it has received comments from the interdepartmental review process or until 20 days have elapsed after receipt of the application materials without submission of comments thereon."

or take any other action relative thereto.

Submitted by: Conservation Commission

## **ARTICLE 32. AMEND STORMWATER MANAGEMENT BYLAW SECTION 7B**

To see if the Town will vote to add the following underlined language to Section 7b: Public Hearing, of the Grafton Stormwater Management Bylaw:

"The Commission shall hold a public hearing within 30 days of the receipt of a complete application, with written notice given at the expense of the applicant five days prior to the hearing. The applicant shall also notify abutters by certified mail (return receipt requested), certificate of mailing, or hand delivery at least five days prior to the hearing. The Commission shall make the application available for inspection by the public during business hours at the Town Hall. The Commission shall take final action within 21 days from the time of the close of the hearing unless such time is extended by agreement between the applicant and the Commission."

or take any other action relative thereto.

Submitted by: Conservation Commission

## **ARTICLE 33. AMEND ZONING BYLAWS**

To see if the Town will vote to amend the Zoning Bylaws by adding the following:

1. ZBL Section 10 entitled Fisherville Mill Smart Growth Overlay District, Subsection 10.6.A entitled "Permitted Uses" as follows (~~Strikethrough~~ for delete and **bold** for insert):

**10.6.A Permitted Uses. The following uses are permitted as of right in the FSGOD, provided that such uses permitted pursuant to Section 10 would not authorize development that, when the development potential of the remainder of the district is calculated, would preclude the district as a whole from accommodating at least 201 residential units, taking into account those eligible units completed or under construction and any remaining units allowed to be built, under the FSGOD regulations:**

**Or take any other action relative thereto.**

Submitted by: Planning Board

## **ARTICLE 34. AMEND ZONING BYLAW BY AMENDING ZONING MAP**

To see if the Town will vote to amend the Town's Zoning Bylaw by amending the Town of Grafton Zoning Map and Section 11.1 and 11.3.1 of the Chapter 43D Priority Development Site Overlay District as follows:

1. ZBL Section 3.1.2 – Zoning Map: To amend the map entitled “Town of Grafton – Zoning Map” to expand the Office Light Industrial District, Campus Overlay District, and Chapter 43D Priority Development Overlay District to include the area as shown on the map entitled “Proposed Route 30/Institute Road Zoning Map Amendments” dated February 9, 2017 prepared By AppGeo and as shown as Parcel B on the Plan entitled “Plan of Land in the Town of Grafton (Worcester County) Massachusetts” prepared for The Division of Capital Asset Management and Maintenance dated June 21, 2016 and on file with the Town Clerk’s Office.
2. ZBL Section 11.1 and 11.3.1 – Chapter 43D Priority Development Site Overlay District: Amend to read (~~strikethrough~~ for delete and **bold** for new)

#### 11.1 Purpose

It is the purpose of this Section to further expedite permitting for Priority Development Sites, as adopted by Town Meeting pursuant to G.L. c. 43D, and presently identified ~~as land situated at 150 Westborough Road (Assessor’s Map 13, Parcel 100), and 105 Westboro Road (Assessor’s Parcel 12, Lot 15), and CenTech Park Lot 3 (Map 5, Lot 1E), and CenTech Park Lot 7 (Map 5, Lot 1H)~~ **on the Town of Grafton Zoning Map**; and to provide appropriate systems for any proposed changes to a plan or facilities after the issuance of a special permit and/or site plan review and approval by the Planning Board when required by this Zoning By-Law or after the issuance of any other permit granted by an appropriate municipal agency. Other objectives of this Section are to...

11.3.1 Establishment. The Chapter 43D Priority Development Site Overlay District, hereinafter referred to as the PDSOD, is an overlay district identified ~~as land situated at 150 Westborough Road (Assessor’s Map 13, Parcel 100), and 105 Westboro Road (Assessor’s Map 12, Parcel 15), and CenTech Park Lot 3 (Map 5, Lot 1E), and CenTech Park Lot 7 (Map 5, Lot 1H)~~ **on the Town of Grafton Zoning Map**, that is superimposed over the applicable underlying and other overlying zoning districts...

Or take any other action relative thereto.

Submitted by: Planning Board

### **ARTICLE 35. AMEND ZONING BYLAW BY ADDING A NEW SECTION**

To see if the town will vote to add a new section entitled: “TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS”

1. **ZBL Section 5, Special Regulations, insert the following new subsection 5.10 entitled Temporary Moratorium on Recreational Marijuana Establishments as follows:**

Section            5.11 Temporary Moratorium on Recreational Marijuana Establishments

#### **5.11.1 Purpose**

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new M.G.L.

c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue initial regulations regarding the licensing of commercial activities by March 15, 2018, to begin accepting applications for licenses on April 1, 2018, and to adopt final regulations by July 1, 2018.

Currently under the Zoning Bylaw, a non-medical Marijuana Establishment is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of recreational Marijuana Establishments and address such issues, consider any vagueness and ambiguity within the law, and to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of recreational Marijuana Establishments. Predicated on the dates established in the M.G.L. c. 94G approved by the voters on November 8, 2016 and as Amended on December 30, 2016 (Chapter 351 of the Acts of 2016), the Town intends to adopt a temporary moratorium on the use of land and structures in the Town for recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

#### 5.11.2 Definition

Marijuana Establishment as defined by M.G.L. c. 94G.

#### 5.11.3 Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through November 30, 2018 or until such time as the Town adopts Zoning Bylaw amendments that regulate recreational Marijuana Establishments, whichever occurs earlier. During moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding recreational Marijuana Establishments, which are to be finalized by July 1, 2018, and shall consider adopting new Zoning Bylaws in response to these new issues on or before the regularly scheduled 2018 Fall Annual Town Meeting.

Or take any action relative thereto.

Submitted by: Planning Board

### **ARTICLE 36. ADOPT STRETCH CODE BYLAW**

To see if the Town will vote to enact Chapter 39 of the Town of Grafton General Bylaws, entitled "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments, or modifications

thereto, with an effective date of July 1, 2017, a copy of which is on file with the Town Clerk, or take any other action relative thereto.

Submitted by: Board of Selectmen

## **ARTICLE 37. CITIZENS PETITION – PLASTIC BAG BYLAW**

To see if the Town will vote to amend the General Bylaws by adopting a bylaw entitled "Plastic Bag Reduction" as follows:

### **Section 1. – Definitions**

#### **SINGLE-USE CARRYOUT BAG**

A single-use carryout bag is made of plastic, paper or other material that is provided to a customer by an establishment and is used to transport merchandise from the establishment. Single-use carryout bags do not include recycled paper bags or a re-usable grocery bag. Single-use carryout bags do not include bags typically without handles used to contain dry cleaning, newspapers, small bags to contain fish, meats, produce and other products selected by the consumer to deliver items to the point of sale or checkout area of the store.

#### **REUSABLE CARRYOUT BAG:**

- 1) Is made solely of or in a combination of natural cloths, synthetic fibers, other washable material or of non-toxic plastic.
- 2) Is specifically designed for multiple reuse and has handles.

#### **RECYCLABLE PAPER BAG**

A paper bag that is 100% recyclable and contains at least 40% post-consumer recycled paper content.

#### **ESTABLISHMENT**

An establishment means any business selling goods, articles, or personal services to the public, including restaurants with a gross interior space of 3000 square feet or larger; or business having at least 2 locations under the same ownership or brand name within the Town of Grafton.

### **Section 2. PLASTIC BAG REDUCTION**

Thin-film single use plastic carryout bags shall not be distributed, used, or sold for checkout at Retail Establishments within the Town of Grafton. Customers are encouraged to bring their own reusable shopping bags to stores. Retail or grocery stores are to make reusable checkout bags available for sale to customers at a reasonable price. Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are still permissible. Retail establishments may use Recyclable Paper Bags, with or without handles, at the point of sale.

### **SECTION 3. ENFORCEMENT**

This Bylaw may be enforced by the Board of Health or by the Town Administrator.

All the requirements set forth in this bylaw shall take effect July 1, 2018.

Submitted by: Ellen Goguen

And you are directed to serve this Warrant by posting up an attested copy thereof in some conspicuous place in each of the precincts of the Town at least fourteen days before said meeting.

Hereof fail not and make due return of this Warrant, with your doings thereon to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this \_\_\_\_\_ day of April in the year of our Lord Two Thousand Seventeen.

BOARD OF SELECTMEN

TOWN OF GRAFTON

  
Jennifer Thomas, Chairman

  
Bruce Spinney II, Vice Chairman

  
Sargon Hanna, Clerk

  
Craig Dauphinais

  
Brook Padgett

A TRUE COPY,  
ATTEST:

April \_\_\_\_, 2017

I have complied with the requirements of the above Warrant and with the Town of Grafton By-Laws by posting an attested copy of the Warrant in some conspicuous place in each of the precincts of the town on the above date.

\_\_\_\_\_  
Constable of Grafton